

**OFFICIAL PLAN AMENDMENT OR COMBINED OFFICIAL PLAN AND ZONING BY-LAW AMENDMENTS**

File Number	<u>OPNPL2016346</u>	Application Fee	<u>\$3,084.00</u>
Related File Number	<u>2NPL2016347</u>	Conservation Authority Fee	<u>N/A</u>
Pre-consultation Meeting On	<u>2016</u>	OSSD Form Provided	<u>N/A</u>
Application Submitted On	<u>Nov 28 2016</u>	Sign Issued	<u>—</u>
Complete Application On	<u>Dec 5 2016</u>		<u>MAT</u>

This development application must be typed or printed in ink and completed in full. An incomplete or improperly prepared application may not be accepted and could result in processing delays.

**Property assessment roll number: 3310- 54302000300**

Check whether this development application is for approval of:

- ☐ Official plan amendment  
☒ Combined official plan and zoning By-Law amendments

**A. APPLICANT INFORMATION**

Name of Applicant <sup>1</sup>	<u>Geoffrey A. Livingston</u>	Phone #	<u>519-550-1906</u>
Address	<u>37 St. Elizabeth Crescent</u>	Fax #	<u>                    </u>
Town / Postal Code	<u>Courtland, N0J 1E0</u>	E-mail	<u>                    </u>

<sup>1</sup> If the applicant is a numbered company provide the name of a principal of the company.

Name of Agent	<u>Cyril J. Demeyere Limited (Peter J. Penner)</u>	Phone #	<u>519-688-1000</u>
Address	<u>261 Broadway Street</u>	Fax #	<u>519-842-3235</u>
Town / Postal Code	<u>Tillsonburg N4G 4H8</u>	E-mail	<u>ppenner@cjd leng.com</u>

Name of Owner <sup>2</sup>	<u>Geoffrey Livingston</u>	Phone #	<u>519-550-1906</u>
Address	<u>37 St. Elizabeth Crescent</u>	Fax #	<u>                    </u>
Town / Postal Code	<u>Courtland, N0J 1E0</u>	E-mail	<u>                    </u>

<sup>2</sup> It is the responsibility of the owner or applicant to notify the Planner of any changes in ownership within 30 days of such a change.

Please specify to whom all communications should be sent <sup>3</sup>: ☐ Applicant ☒ Agent ☐ Owner

<sup>3</sup> Unless otherwise directed, all correspondence, notices, etc., in respect of this development application will be forwarded to the Applicant noted above, except where an Agent is employed, then such will be forwarded to the Applicant and Agent.

Names and addresses of any holders of any mortgagees, charges or other encumbrances on the subject lands:

Farm Mortgage - RBC - Simcoe Branch

Gas Lease - Authority -ON-ENERGY CORP.



**B. LOCATION/LEGAL DESCRIPTION OF SUBJECT LANDS**

Geographic Township	<b>South Walsingham</b>	Urban Area or Hamlet	
Concession Number	<b>6</b>	Lot Number(s)	<b>15</b>
Registered Plan Number		Lot(s) or Block Number(s)	
Reference Plan Number		Part Number(s)	<b>15</b>
Frontage (metres/feet)	<b>140m</b>	Depth (metres/feet)	<b>425m</b>
Width (metres/feet)	<b>439m</b>	Lot area (m <sup>2</sup> / ft <sup>2</sup> or hectares/acres)	<b>15.49ha</b>
Municipal Civic Address	<b>1182 North Walsingham - South Walsingham Townline Road</b>		

For questions regarding requirements for a municipal civic address please contact [NorfolkGIS@norfolkcounty.ca](mailto:NorfolkGIS@norfolkcounty.ca).

Are there any easements or restrictive covenants affecting the subject lands?

☒ Yes ☐ No

If yes, describe the easement or covenant and its effect:

**ON-ENERGY CORP. is the operating authority for a lease on the gas well known as (consumers'32901, Licence T004872) located 66+/-m south of proposed OPA ZBA application area. A 50mm service line from North Walsingham -South Walsingham Townline Rd. ROW runs through the application area to service the well. Gas authority has been advised on the proposed adjustment to the gas service that is located within the proposed site limits.**

Does the requested amendment alter all or any part of the boundary of an area of settlement in the municipality or implement a new area of settlement in the municipality?

☐ Yes ☒ No

If yes, please describe its effect:

Does the requested amendment remove the subject land from an area of employment?

☐ Yes ☒ No

If yes, please describe its effect:

## C. PURPOSE OF DEVELOPMENT APPLICATION

Please explain what you propose to do on the subject lands/premises which makes this development application necessary and include the nature and extent of the amendment requested (if additional space is required, please attach a separate sheet):

The site is proposed to have the existing large sand knolls removed and grading adjusted for improved soil conditions for farming. Zoning Amendment will be site specific; the farm will remain zoned agriculture with a special provision that allows sand removal. Sand removal will only be permitted up to and within 1.5m above water table as outlined under the Aggregate Resource Act, Provincial Standards of Ontario - Category 7 - Class B Pit Above water.

Current official plan policy:  
4.2 Agriculture Designation

The land uses that the current policy authorizes:  
Agricultural

The land uses that the requested amendment policy authorizes:  
Site Specific, Sand aggregate extraction outlined under Aggregate Resource Act, Provincial Standards of Ontario - Category 7 - Class B Pit Above water.

Does the requested amendment delete a policy of the official plan?

☐ Yes ☒ No

If yes, identify the policy to be deleted:

Does the requested amendment change or replace a policy in the official plan?

☒ Yes ☐ No

If yes, identify the policy to be changed or replaced, also include the proposed text of the policy amendment (if additional space is required, please attach a separate sheet):

### 4.2 Agriculture Designation

#### 4.2.5 Site Specific Policies

Add -> 4.2.5.31 South Walsingham - Aggregate Resource Act, Provincial Standards of Ontario - Category 7 - Class B Pit Above water Site Specific Policy On land designated Agricultural - Site Specific Policy Area 4.2.5.31 on Schedule "B" to this Plan, in addition to the uses permitted, shall permit a Category 7 - Class 'B' Pit Above Water Operation with Licensee as defined by the Aggregate Resource Act Provincial Standards of Ontario.

## D. PROPERTY INFORMATION

Present use of the subject lands:  
Agriculture

Proposed use of the subject lands:

**Agriculture/ Sand Aggregate Extraction as outlined under Aggregate Resource Act, Provincial Standards of Ontario - Category 7 - Class B Pit Above water.**

Present use of adjacent properties:

**Agriculture, Rural residential**

Are there any existing buildings or structures on the subject lands?

☐ Yes ☒ No

If yes, please describe the type of building or structure and in metric units, the setback from the front lot line, rear lot line and side lot lines, the height of the building or structure and its dimensions or floor area:

---

---

---

---

Are there any buildings or structures proposed to be built on the subject lands?

☐ Yes ☒ No

If yes, please describe the type of building or structure and in metric units, the setback from the front lot line, rear lot line and side lot lines, the height of the building or structure and its dimensions or floor area:

---

---

---

---

Are any existing buildings on the subject lands designated under the *Ontario Heritage Act* as being architecturally and/or historically significant?

☐ Yes ☒ No

If yes, identify and provide details of the building:

---

The date the subject lands was acquired by the current owner:

**September 2007**

If known, the date existing buildings or structures were constructed on the subject lands:

**No structures on site**

If known, the length of time the existing uses have continued on the subject lands:

**50+ years**

## E. PREVIOUS USE OF THE PROPERTY

Has there been an industrial or commercial use on the subject lands or adjacent lands?

☐ Yes ☒ No ☐ Unknown

If yes, specify the uses:

---

Has the grading of the subject lands been changed through excavation or the addition of earth or other material?

☐ Yes ☒ No ☐ Unknown

Has a gas station been located on the subject lands or adjacent lands at any time?

☐ Yes ☒ No ☐ Unknown

Has there been petroleum or other fuel stored on the subject lands or adjacent lands at any time?

☐ Yes ☐ No ☒ Unknown

Is there reason to believe the subject lands may have been contaminated by former uses on the site or adjacent sites?

☐ Yes ☒ No ☐ Unknown

Provide the information you used to determine the answers to the above questions:

**Consultant's general knowledge of the area; 1970 Contour Mapping**

---

If you answered yes to any of the above questions, a previous use inventory showing all known former uses of the subject lands, or if appropriate, the adjacent lands, is needed.

Is the previous use inventory attached?

☒ Yes ☐ No

## F. STATUS OF OTHER PLANNING DEVELOPMENT APPLICATIONS

Has the subject land or land within 120 metres of it been or is now the subject of an application under the *Planning Act, R.S.O. 1990, c. P. 13* for:

1. a minor variance or a consent;
2. an amendment to an official plan, a zoning by-law or a Minister's zoning order; or
3. approval of a plan of subdivision or a site plan?

☐ Yes ☒ No ☐ Unknown

If yes, indicate the following information about **each application**:

OFFICIAL PLAN AMENDMENT OR COMBINED OFFICIAL PLAN AND ZONING BY-LAW AMENDMENTS

File number:

---

Land it affects:

---

Purpose:

---

Status/decision:

---

Effect on the requested amendment:

---

If additional space is required, please attach a separate sheet.

Is the above information for other planning developments applications attached?

☐ Yes ☐ No

**G. PROVINCIAL POLICY**

Is the requested amendment consistent with the provincial policy statements issued under subsection 3(1) of the *Planning Act, R.S.O. 1990, c. P. 13*?

☒ Yes ☐ No

If no, please explain:

**See attached - Planning Justification Report (David Roe MCIP, RPP, September 1, 2016)**

---

Are the subject lands within an area of land designated under any provincial plan or plans?

☐ Yes ☒ No

If yes, does the requested amendment conform to or does not conflict with the provincial plan or plans:

---

# OFFICIAL PLAN AMENDMENT OR COMBINED OFFICIAL PLAN AND ZONING BY-LAW AMENDMENTS

Are any of the following uses or features on the subject lands or within 500 metres (1,640 feet) of the subject lands, unless otherwise specified? Please check the appropriate boxes, if any apply.

Use or Feature	On the Subject Lands	Within 500 Metres (1,640 feet) of Subject Lands (Indicate Distance)
Livestock facility or stockyard (if yes, complete Form 3 – available upon request)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No 400m distance
Wooded area	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No 5m distance
Municipal landfill	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No ____ distance
Sewage treatment plant or waste stabilization plant	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No ____ distance
Provincially significant wetland (class 1, 2 or 3) or other environmental feature	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No 300m distance
Floodplain	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No 300m distance
Rehabilitated mine site	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No ____ distance
Non-operating mine site within one kilometre	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No ____ distance
Active mine site within one kilometre	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No ____ distance
Industrial or commercial use (specify the use(s))	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No ____ distance
Active railway line	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No ____ distance
Seasonal wetness of lands	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No ____ distance
Erosion	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No 300m distance
Abandoned gas wells	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No ____ distance

## H. SERVICING AND ACCESS

Indicate what services are available or proposed:

### Water Supply

- ☐ Municipal piped water
- ☐ Communal wells
- ☐ Individual wells
- ☐ Other (describe below)

### Sewage Treatment

- ☐ Municipal sewers
- ☐ Communal system
- ☐ Septic tank and tile bed
- ☐ Other (describe below)

### Storm Drainage

- ☐ Storm sewers
- ☐ Open ditches
- ☒ Other (describe below)

If other, describe:

There is a Gas Well located 67m south of proposed boundary of sand pit. A 50mm buried gas service is located within proposed boundary connecting gas well to the gas main located within Concession Road 7 right of way.

Will the requested amendment permit development on a privately owned and operated individual or communal septic system that produces more than 4500 litres of effluent per day as a result of the development being completed?

☐ Yes ☒ No

If yes, the following reports will be required: a servicing options report and a hydrogeological report.

Have you consulted with Public Works & Environmental Services concerning stormwater management?

☐ Yes ☒ No

Has the existing drainage on the subject lands been altered?

☐ Yes ☒ No



Does a legal and adequate outlet for storm drainage exist?

☐ Yes ☐ No ☒ Unknown

Existing or proposed access to subject lands:

☐ Unopened road ☐ Provincial highway  
☒ Municipal road ☐ Other (describe below)

If other, describe:

---

Name of road/street:

North Walsingham - South Walsingham Townline Road also known as Concession Road 7

---

## I. OTHER INFORMATION

Is there a time limit that affects the processing of this development application?

☒ Yes ☐ No

If yes, describe:

Zoning by-law amendment is required for Aggregate Licence application. Both applications are being prepared concurrently so that the public appeal process will occur at the same time in November 2016.

Is there any other information that you think may be useful in the review of this development application? If so, explain below or attach on a separate page.

---

**Attached:**

-Natural Environmental Assessment Report Level 1 & 2 (Biologic Incorporated, December 1, 2015)  
-Report on Archeological Assessment (Stages 1 & 2) (Mayer Archaeological Consultants, November 26, 2014)  
-Archeological Confirmation into Registry letter from Ministry of Tourism, Culture and Sport (June 23, 2015)  
-Canada land inventory map

---



## J. SUPPORTING MATERIAL TO BE SUBMITTED BY APPLICANT

In order for your development application to be considered complete, **two (2) copies of the plan(s) (folded to 8 ½" x 11")** must be submitted, in metric units, drawn to scale, as part of the development application, which shows:

1. The boundaries and dimensions of the subject lands
2. The topographical features
3. The approximate location of all natural and artificial features including but not limited to, buildings, railways, roads, watercourses, municipal drains, drainage ditches, banks of rivers or streams, pipelines, gas wells, wetlands, wooded areas that are located on the subject land and on land that is adjacent to it and may affect the application
4. The location of any existing and proposed wells, septic systems and tile beds that is located on the subject land and on land that is adjacent to it and may affect the application
5. The location, name, status and width of any road, lanes, highways, railways, driveways or encroachments, both existing and proposed, within or abutting the subject land, indicating whether it is an unopened road allowance, a public travelled road, a private road or a right of way
6. The location and nature of any easements affecting the subject land
7. The location, size and type of all **existing** and **proposed** buildings and structures on the subject land, indicating their distance from the front lot line, rear lot line and side lot lines, also including building dimensions, height and groupings for each building on the site
8. Outlines of all planting beds, buffer planting, lawn areas, areas to be seeded and sodded and any other landscaping or site improvements
9. Location and dimensions of off-street parking, parking structures and aisles, the number of parking spaces to be provided and location of accesses
10. Any pylon signs, fascia signs, etc., any lighting facilities and their location
11. Any proposed subdivision of the subject lands
12. Current uses of land that is adjacent to the subject land
13. Location of outside storage, refuse storage and disposal facilities
14. The legal description of the subject lands in question (lot, concession, registered plan no., geographic township)

**Five (5) copies of any applicable information/reports** indicated in the development application form.

If other documentation/supporting material become necessary, you will be contacted. This information must be submitted prior to your development application proceeding.

## K. NOTIFICATION SIGN REQUIREMENTS

For the purpose of public notification and in order for staff to locate your lands, you will be given a sign to indicate the intent and purpose of your development application. It is your responsibility to:

1. Post one sign per frontage in a conspicuous location on the subject lands
2. Ensure one sign is posted at the front of the subject lands at least three feet above ground level
3. Notify the Planner when the sign is in place in order to avoid processing delays
4. Maintain the sign until the development application is finalized and thereafter removed

## L. PERMISSION TO ENTER SUBJECT LANDS

Permission is hereby granted to Norfolk County staff to enter the premises subject to this development application for the purposes of making inspections associated with this application, during normal and reasonable working hours.

  
Owner/Applicant/Agent Signature

23 November 2016  
Date

## M. FREEDOM OF INFORMATION

For the purposes of the *Municipal Freedom of Information and Protection of Privacy Act*, I authorize and consent to the use by or the disclosure to any person or public body any information that is collected under the authority of the *Planning Act*, R.S.O. 1990, c. P. 13 for the purposes of processing this development application.

  
Owner/Applicant/Agent Signature

23 NOVEMBER 2016  
Date

## N. DECLARATION

I, Peter J. Penner (Agent) of Norfolk County solemnly declare that:

all of the above statements and the statements contained in all of the exhibits transmitted herewith are true and I make this solemn declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath and by virtue of *The Canada Evidence Act*.

Declared before me at:

Town of Tillsonburg

In County of OXFORD

This 25 day of November

A.D., 2016

Helen Johnson  
A Commissioner, etc.

[Signature]  
Owner/Applicant/Agent Signature

HELEN ANN JOHNSON, a Commissioner, etc.,  
Province of Ontario, for the Corporation of the  
Town of Tillsonburg Expires March 10, 2017.

## O. OWNER'S AUTHORIZATION

If the applicant is not the registered owner of the lands that is the subject of this development application, the owner must complete the authorization set out below.

I/We Geoffrey A. Livingston am/are the registered owner(s) of the lands that is the subject of this development application for a zoning by-law amendment.

I/We authorize Peter J. Penner (Agent) to make this development application on my/our behalf and to provide any of my/our personal information necessary for the processing of this development application. Moreover, this shall be your good and sufficient authorization for so doing.

[Signature]  
Owner

23 November 2016  
Date

\_\_\_\_\_  
Owner

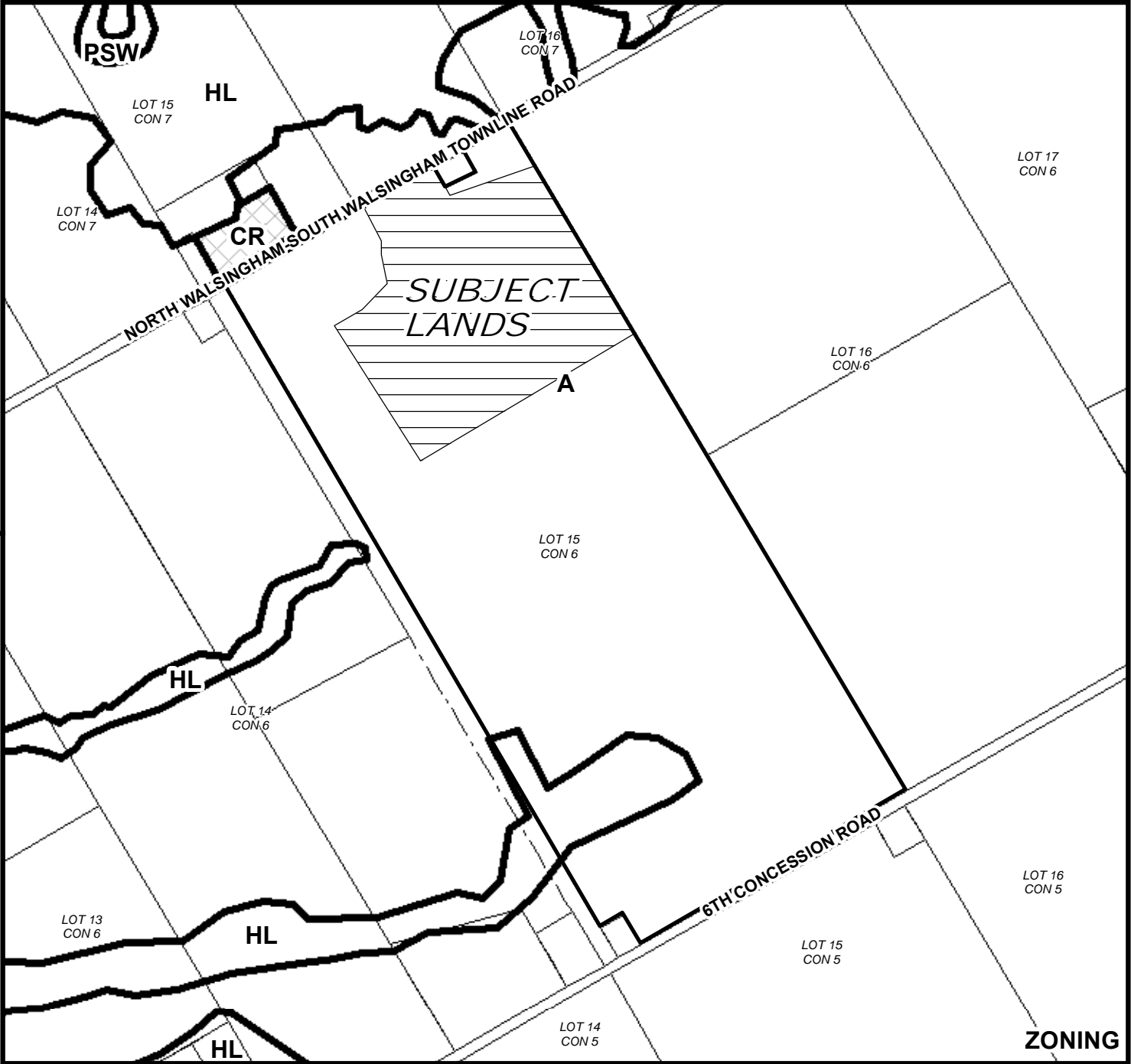
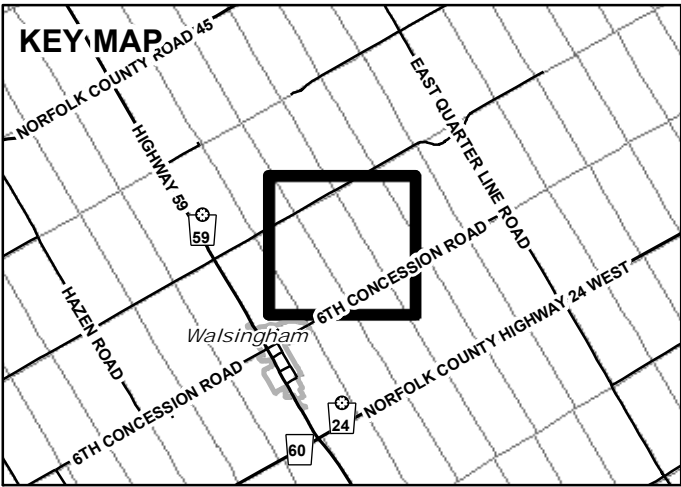
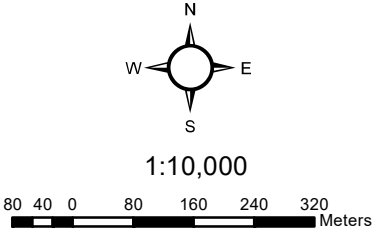
\_\_\_\_\_  
Date



# MAP 1

File Number: OPNPL2016346 &  
ZNPL2016347

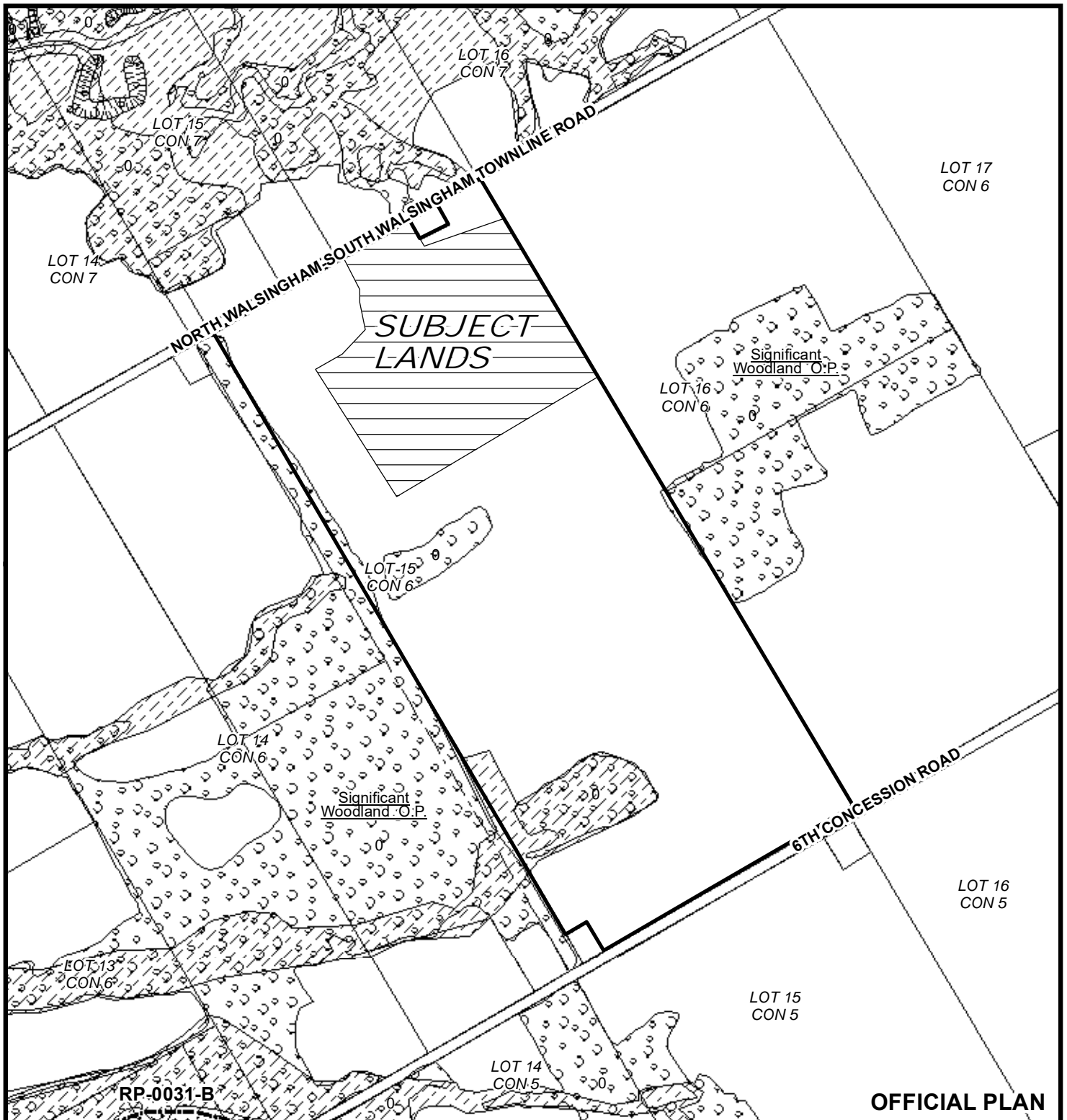
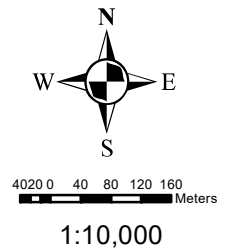
Geographic Township of  
**SOUTH WALSINGHAM**



## MAP 2

File Number: OPNPL2016346 & ZNPL2016347

Geographic Township of SOUTH WALSINGHAM

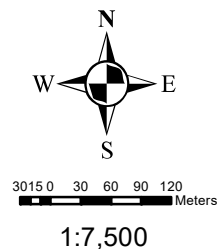




# MAP 3

File Number: OPNPL2016346 & ZNPL2016347

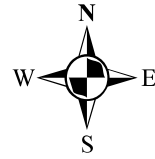
Geographic Township of SOUTH WALSINGHAM



# MAP 4

File Number: OPNPL2016346 & ZNPL2016347

Geographic Township of SOUTH WALSINGHAM



20 10 0 20 40 60 80 Meters

1:4,000

